

Central Intelligence Agency

ON THE Sen Dole/Helfers

Washington D C 20505

OCA 88-3918

5 December 1988

Ms. Leigh Whitaker
Staff Member
Senator Robert J. Dole
141 Senate Hart Office Building
Washington, DC 20510

Dear Ms. Whitaker:

Attached is an excerpt from the CIA Act relating to a gratuity that is paid to the dependents of an employee who dies as a result of injuries suffered overseas in the line of duty. The payment is limited to situations where an employee dies as a result of hostile or terrorist activity or some intelligence activity involving substantial risk.

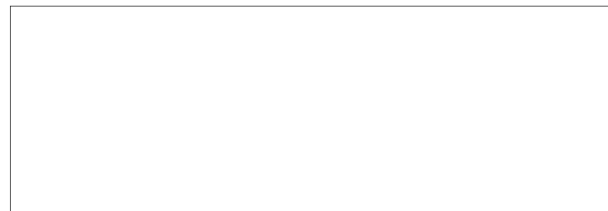
The provision was contained in the Intelligence Authorization Act for FY 81 which became effective in October 1980.

As I mentioned, we would also use benefits provided under the Omnibus Diplomatic and Antiterrorism Act of 1986, if an employee is held captive by terrorists.

I hope this is helpful. Let me know if I can answer any additional questions.

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Sincerely,



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[Section 9 of CIA Act]. Separability of provisions "

If any provision of this Act, or the application of such provision to any person or circumstances, is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

[Section 10 of CIA Act]. Short title

This Act may be cited as the "Central Intelligence Agency Act of 1949."

50 U.S.C. 403k. [§11 of CIA Act]. Authority to pay death gratuities

(a)(1) The Director may pay a gratuity to the surviving dependents of any officer or employee of the Agency who dies as a result of injuries (other than from disease) sustained outside the United States and whose death--

(A) resulted from hostile or terrorist activities; or

(B) occurred in connection with an intelligence activity having a substantial element of risk.

(2) The provisions of this subsection shall apply with respect to deaths occurring after June 30, 1974.

(b) Any payment under subsection (a) of this section--

(1) shall be in an amount equal to the amount of the annual salary of the officer or employee concerned at the time of death;

(2) shall be considered a gift and shall be in lieu of payment of any lesser death gratuity authorized by any other Federal law; and

(3) shall be made under the same conditions as apply to payments authorized by section 3973 of Title 22.

50 U.S.C.A. 403l. [§12 of CIA Act]. Authority to accept gifts, devises, and bequests

(a) Use for operational purposes prohibited

Subject to the provisions of this section, the Director may accept, hold, administer, and use gifts of money, securities, or other property whenever the Director determines it would be in the interest of the

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29 June 1988
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